

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

IN RE:	§	
WALTER GEORGE BUSBY	§	CASE NO. 19-50725-cag
DEANN LOUISE BUSBY	§	CHAPTER 7
Debtor(s)	§	
WILMINGTON TRUST COMPANY, AS SUCCESSOR TRUSTEE TO CITIBANK, NA AS TRUSTEE TO STRUCTURED ASSET SECURITIES CORPORATION, SERIES 2005-1	§	
Movant,	§	
v.	§	
WALTER GEORGE BUSBY, Debtor	§	
DEANN LOUISE BUSBY, Debtor	§	
JOSE C RODRIGUEZ, Trustee	§	
Respondents	§	

**DEBTOR'S RESPONSE TO WILMINGTON TRUST COMPANY'S MOTION  
FOR RELIEF FROM AUTOMATIC STAY OF ACT AGAINST COLLATERAL  
AND WAIVER OF THIRTY-DAY (30) HEARING REQUIREMENT**  
**[DOCKET ENTRY #12]**

**TO THE HONORABLE JUDGE OF SAID COURT:**

NOW COMES Walter George Busby and Deann Louise Busby (the "Respondents"), files this Response to Wilmington Trust Company's Motion for Relief from Automatic Stay of Act Against Collateral and Waiver of Thirty-Day (30) Hearing Requirement, and for just cause would respectfully show the Court the following:

**ARGUMENTS**

Walter George Busby and Deann Louise Busby represents the following in relation to ECF #12, Wilmington Trust Company's (WILMINGTON) Motion for Relief from the Automatic Stay:

1. Paragraph 1 of WILMINGTON's Motion does not require an admission or denial because it merely recites statutory predicate.

2. Respondents admits all facts stated in paragraph 2 of WILMINGTON's Motion for Relief from the Automatic Stay.

3. Respondents admits all facts stated in paragraph 3 of WILMINGTON's Motion for Relief from the Automatic Stay.

4. Respondents admits all assertions stated in paragraph 4 of WILMINGTON's Motion for Relief from the Automatic Stay.

5. Respondents admits all facts stated in paragraph 5 of WILMINGTON's Motion for Relief from the Automatic Stay except Respondent cannot admit or deny the exact number of missed payments.

6. Respondents cannot admit or deny the state of mind of Movant as stated in Paragraph 6 of WILMINGTON's Motion for Relief from the Automatic Stay.

7. Respondents cannot admit or deny the facts stated in Paragraph 7 of WILMINGTON's Motion for Relief from the Automatic Stay.

8. Respondents admits all assertions stated in paragraph 8 of WILMINGTON's Motion for Relief from the Automatic Stay.

9. Respondents admits all assertions stated in paragraph 9 of WILMINGTON's Motion for Relief from the Automatic Stay.

10. Respondents denies all assertions stated in paragraph 10 of WILMINGTON's Motion for Relief from the Automatic Stay.

11. In response to paragraph 11 of WILMINGTON's Motion for Relief from the Automatic Stay Respondent pleads the Movant is over secured and adequately protected and, therefore, the motion for relief from the automatic stay should be denied.

12. In response to paragraph 12 of WILMINGTON's Motion for Relief from the Automatic Stay Respondent pleads the Movant is over secured and adequately protected and, therefore, the relief requested in paragraph 12 should be denied.

WHEREFORE, PREMISES CONSIDERED, the Respondents pray the Court DENY WILMINGTON's Motion for Relief from the Automatic Stay and grant to Respondents any such relief as the Debtor may be entitled to.

Dated: May 23, 2019

Respectfully Submitted,

By: /s/ Ronald J. Smeberg

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ATTORNEY FOR DEBTOR

**CERTIFICATE OF SERVICE**

I hereby certify that on May 23, 2019, a copy of the forgoing was served electronically through the Court's ECF system or by regular United States mail to all interested parties and all creditors listed below.

/s/ Ronald Smeberg  
Ronald J. Smeberg

## **SERVICE LIST**

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